APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,856	12/29/2000	Shlomi Harif	AUS9000877US1	8510

35617	7590	04/08/2005

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EXAMINER
WINTER, JOHN M

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _28 January 2005_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-13,15-20 and 22-24_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-13,15-20 and 22-24_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Status

Claims 1-13,15-20 and 22-24 are pending.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Response to Arguments

The Applicants arguments filed on January 28, 2005 have been fully considered but are not persuasive.

The Applicant states that the claims of the present invention are directed towards a different purpose and are not obvious in view of the prior art.

Examiner responds that as per *Ex parte Clapp*, 227 USPQ 972 (Bd Pat App & Int) "To support conclusion that claimed combination is directed to obvious subject matter, the references must either expressly or impliedly suggest claimed combination or the examiner must present a convincing line of reasoning as to why artisan would have found claimed invention to have been obvious in light of the references teachings." the Examiner states the reference deals with the generalized problem of conducting secure electronic commerce and therefore would be obvious to a person of ordinary skill in the art.

The Applicant states that the cited art does not teach (programming instructions) for maintaining confidentiality as to the identity of a network client and a network host.

The Examiner responds that this feature is disclosed by the reference Herz et al. (US Patent 5,754,938), in Figure 15 Hertz discloses a process by which a client sends an encrypted message to a host server, it follows that if all clients communicate via encrypted transmission, and the individual clients do not share each others encryption keys that the host would be the .the only party aware of the identity of each client; i.e. the identities of the network members are known only to the financial resolution center.

See following rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1- 3, 8-13, 15-19, 20, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen (US Patent 6,047,067) in view of Herz et al. (US Patent 5,754,938).

As per claim 1,

Rosen ('067) discloses a system for enabling electronic commerce, said system comprising;

a network host, wherein the network host is adapted to provide a service to a network client using a network, wherein the service is provided in exchange for payment resolved by a financial resolution center connected to the network (Figure 2)

Official Notice is taken that "the network host and network client are network members" is common and well known in prior art in reference to electronic commerce. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the - network host and network client are network members in order to provide communications between these two entities.

Rosen ('067) does not explicitly disclose identities of the network members are known only to the financial resolution center. Herz et al. ('938) discloses identities of the network members are known only to the financial resolution center. (Figures 14 and 15) It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Rosen ('067) method with the Herz et al. ('938) method in order to improve security of the system.

As per claim 2,

Rosen ('067) discloses the system as recited in claim 1,

wherein the network members are determined by the financial resolution center.(Column 3, lines 23-29)

As per claim 3,

Rosen ('067) discloses the system as recited in claim 1,

Official Notice is taken that "network client and the network host maintain financial accounts with the financial resolution center" is common and well known in prior art in reference to electronic commerce. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the network client and the network host maintain financial accounts with the financial resolution center in order to provide more efficient service for the client. The examiner notes that is common for a banks to serve as both the host and the financial

resolution center, therefore the services provided by the bank would be by default on the same network.

As per claim 8,
Rosen ('067) discloses the system as recited in claim 3,
wherein the financial resolution center comprises a computational device. (Figure 2)

As per claim 9,
Rosen ('067) discloses the system as recited in claim 8, wherein the financial resolution center comprises:
a processor; (Column 7, lines 21-29)
a storage device;(Column 7, lines 21-29)
a certificate authority program, wherein the certificate authority program is adapted to provide network membership;(Column 7, lines 21-37)
Official Notice is taken that "an accounting program, wherein the accounting program is adapted to reconcile network member accounts" is common and well known in prior art in reference to electronic commerce. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide an accounting program, wherein the accounting program is adapted to reconcile network member accounts in order to in order to allow members to accurately project their financial budget. The examiner notes that numerous commercial programs such as Quicken, and Peachtree Accounting perform these functions.

As per claim 10,
Rosen ('067) discloses the system as recited in claim 9,
wherein the financial resolution center further comprises a monitoring program, wherein the monitoring program is adapted to track and record financial activities of the network members.(Column 17, lines 58-67; column 18, lines 1-4)

As per claim 11,
Rosen ('067) discloses the system as recited in claim 10,
wherein the network members comprises an agent, wherein the agent is adapted to execute a process, and wherein providing a service comprises executing a process.(Figure 2)

As per claim 12,
Rosen ('067) discloses the system as recited in claim 11,
wherein the financial resolution center is further adapted to extend credit to the network members.(Column 20, lines 35-57)

As per claim 13,
Rosen ('067) discloses the system as recited in claim 10,
Official Notice is taken that "the accounting program is further adapted to reconcile financial accounts for the network members" is common and well known in prior art in reference to electronic commerce. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the accounting program is adapted to reconcile financial

accounts for the network members in order to allow members to accurately project their financial budget.

As per claim 15,

Rosen ('067) discloses a method of enabling electronic commerce, said method comprising:

administering financial accounts for a network client and a network host, wherein the network client and the network host are network members;

receiving a financial charge from the network host;

assigning the charge to the network client;

resolving the charge,

(Column 22 ,line 23 through column 24 line 43 {the Money issued reconciliation process})

Rosen ('067) does not explicitly disclose identities of the network members are known only to the financial resolution center. Simon ('835) discloses identities of the network members are known only to the financial resolution center. (Column 7, lines 29-31; Figure 3) It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Simon method with the Rosen ('067) method in order to improve security of the system.

As per claim 16,

Rosen ('067) discloses the method as recited in claim 15,

further comprising assigning network membership.(Column 3, lines 23-29)

As per claim 17,

Rosen ('067) discloses the method as recited in claim 16,

wherein assigning the network membership comprises issuing authentication identifiers.(Figure 6J)

As per claim 18,

Rosen ('067) discloses the method as recited in claim 17,

wherein the authentication identifiers comprise a public/private key pair.(Figure 6J)

As per claim 19,

Rosen ('067) discloses a computer-usable carrier medium,

comprising first programming instructions executable on a computational device for presenting a financial charge to a financial resolution center wherein: the- financial charge is levied against a network client,(Column 3, lines 23-29)

Rosen ('067) does not explicitly disclose "the network client remains unknown to the computational device". Simon ('835) discloses "the network client remains unknown to the computational device". (Column 7, lines 29-31; Figure 3) It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Simon method with the Rosen ('067) method in order to improve security of the system.

As per claim 20,

Rosen ('067) discloses a computer-usable carrier medium, comprising:

first programming instructions executable on a computational device for receiving a financial charge from a network host;(Figure 2)

second programming instructions executable on the computational device for assigning the financial charge to a network client;(Column 3, lines 23-29)

third programming instructions executable on the computational device for resolving the financial charge.(Column 3,lines 23-44)

Rosen ('067) does not explicitly disclose identities of the network members are known only to the financial resolution center. Herz et al. ('938) discloses identities of the network members are known only to the financial resolution center. (Figures 14 and 15) It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Rosen ('067) method with the Herz et al. ('938) method in order to improve security of the system.

As per claim 22,

Rosen ('067) discloses the carrier medium as recited in claim 20,

wherein resolving the financial charge comprises modifying the financial accounts for the network client and the network host.(Column 22, lines 24-67; column 24, lines 24-43; also figures 16 and 17)

As per claim 23,

Rosen ('067) discloses a computer-usable carrier medium,

comprising first programming instructions executable on a computational device for receiving a financial charge from a financial resolution center, wherein the financial charge is levied against the computational device, wherein the financial charge is to be credited toward a network host(Column 3, lines 23-29)

Official Notice is taken that "the network client remains unknown to the computational device" is common and well known in prior art in reference to electronic commerce. It would have been obvious to one having ordinary skill in the art at the time the invention was that the network client remains unknown to the computational device in order to provide promote consumer confidence in the system by providing security functions.

As per claim 24,

Rosen ('067) discloses the carrier medium as recited in claim 20,

further comprising fifth programming instructions executable on the computational device for maintaining financial accounts for the network host and the network client.(Column 22, lines 37-53)

Claims 4- 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen (US Patent 6,047,067) in view of Schneier (Applied cryptography 2nd edition) and further in view of Harif (US Patent application 09/751856)

As per claim 4,

Rosen ('067) discloses the system as recited in claim 1,

Rosen ('067) does not explicitly disclose the network comprises a heterogeneous network, Harif discloses the network comprises a heterogeneous network.(Page 1, lines 23-30, page 2 lines 1-4) It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Rosen ('067) system with the Harif's system in order to reduce the cost of establishing the network by not restricting member ship to a particular type of machine or operating system.

As per claim 5,

Rosen ('067) discloses the system as recited in claim 4,

Rosen ('067) does not explicitly disclose the heterogeneous network comprises a network of computational devices, Harif discloses the heterogeneous network comprises a network of computational devices.(Page 1, lines 23-30, page 2 lines 1-4) It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Rosen ('067) system with the Harif's system in order to automate financial data processing.

As per claim 6,

Rosen ('067) discloses the system as recited in claim 4,

Official Notice is taken that "the heterogeneous network is absent information sent thereacross for maintaining secure access thereto." is common and well known in prior art in reference to electronic commerce. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the heterogeneous network is absent information sent thereacross for maintaining secure access thereto in order to provide more efficient service for the client. The examiner notes that feature is common all operating system with a networking capability (the Unix command Rlogin for example provides this feature).

As per claim 7,

Rosen ('067) discloses the system as recited in claim 5,

Rosen ('067) does not explicitly disclose the network of computational devices comprises a network of multiple platforms, Harif discloses the network of computational devices comprises a network of multiple platforms.(Page 1, lines 23-30, page 2 lines 1-4) It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Rosen ('067) system with the Harif's system in order to reduce the cost of establishing the network by not restricting member ship to a particular type of machine or operating system.

Conclusion

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is
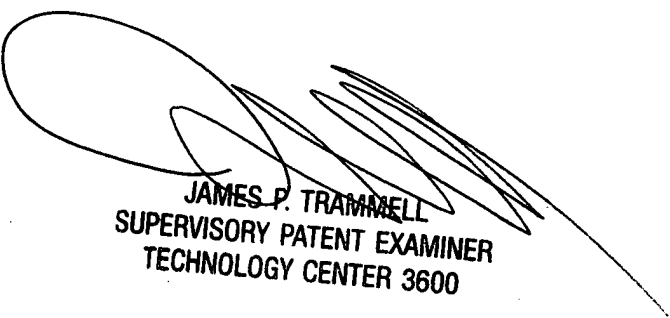
respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Winter whose telephone number is (703) 305-3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703)305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (763) 872-9306 for regular communications and (763) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

JMW
April 4, 2005

JAMES P. TRAMMELL
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